IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WP(C).No. 21058 of 2007(F)

PETITIONER:

CATHRAIN JAMMA,
D/O.MARIMMA VARGHESE, AGED 43 YEARS
P.D.TEACHER, GOVERNMENT TRIBAL SCHOOL
KATTAPPANA, IDUKKI DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT
SECRETARIAT, TRIVANDRUM.

2. THE ACCOUNTANT GENERAL (A & E) KERALA
TRIVANDRM.

3. THE DEPUTY DIRECTOR OF EDUCATION,
IDUKKI AT THODUPUZHA.

4. THE HEADMASTER
GOVERNMENT HIGH SCHOOL ERATTAYAR
AT NALUMUKKU, POST NELLIPPARA-685 515.
IDUKKI DISTRICT.

BY GOVERNMENT PLEADER SRI.NOBLE MATHEW

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.21058 OF 2007

Dated this the 9th day of July, 2007

JUDGMENT

The limited prayer in this writ petition which is at the instance of a Primary Department teacher working in Government Tribal School at Kattappana is to issue a direction to respondent no.1 to take a decision on Ext.P5 review petition which has been preferred by him against Ext.P4 order.

2. It is the contention of the petitioner that Ext.P4 order has been passed without keeping in view Exts.P6 and P7 orders of the Government. Petitioner has also invited my attention to Exts.P9 and P10 judgments, which according to him would clinch the issue in his favour. The grievance of the petitioner appears to be that his request to change the date of option from the due date to another month has been declined without any justifiable reasons.

3. In view of the limited prayer, I do not propose to deal with the contentions raised by the petitioner at this stage. I

hasten to add that I have not considered the merit of any of the contentions raised by the petitioner. It will be open to respondent no.1 to take a decision on Ext.P5 strictly on its merit and in accordance with law. This shall be done as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. Needless to mention that petitioner shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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